IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 10625 of 2006(M)

PETITIONER:

A.SHAJAHAN, S.N.P.AUDITORIUM (SHALIMAR),
NILAMEL P.O., KOLLAM.

BY ADV. SMT.I.SHEELA DEVI.

RESPONDENTS:

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1. THE KERALA FINANCIAL CORPORATION,
REPRESENTED BY ITS MANAGING DIRECTOR,
VELLYAMBALAM, THIRUVANANTHAPURAM.

2. THE CHIEF MANAGER,
KERALA FINANCIAL CORPORATION, DISTRICT OFFICE,
Y.M.C.A., KOLLAM.

BY SRI.A.AABUL HASSAN, SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS:

P1 ORDER SANCTIONING LOAN BY R1 DT 31.1.01.

P2 ORDER SANCTIONING ANOTHER LOAN BY R1 DT 2.4.02.

P3 SALE NOTICE DT 10.3.06.

P4 JUDGMENT IN WPC 7628/06.

P5 DEMAND DRAFT FOR RS.50 LAKHS DT 18.3.06.

P5(A) DD FOR RS.30 LAKHS DT 20.3.06.

P6 STATEMENT OF ACCOUNTS UPTO 20.3.06 ISSUED BY R2.

P7 REPRESENTATION DT 24..3.06 BEFORE R1.

P8 LETTER DATED 27.4.06.

P9 COMMUNICATION FROM R1 TO THE PRINCIPAL SECRETARY FINANCE DT.26.8.06.

P10 LETTER NO.57783/PU.A1/2006/FIN.DT.4.10.06.

P11 COMMUNICATION FROM R2 TO THE PETITIONER DT. 16.3.07.

P12 REPRESENTATION DT. 13.4.07.

P12(a) RECEIPT ISSUED BY R2 TO THE PETITIONER.

P12(b) RECEIPT ISSUED BY R2 TO THE PETITIONER.

RESPONDENTS' EXHIBITS:

R1(A) OTS APPLICATION DT 4.3.06.

R1(B) LETTER DATED 14.3.06.

R1(C) LETTER DATED 27.4.06 ISSUED BY THE KFC.

R1(D) STATEMENT OF ACCOUNTS IN RESPECT OF LOAN (NO.100278110) INCLUDING PENAL INTERST AS ON28.6.06.

R1(E) STATEMENT OF ACCOUNTS IN RESPECT OF LOAN (NO.100278110) EXCLUDING PENAL INTEREST AS ON 28.6.06.

R1(F) STATEMENT OF ACCOUNTS IN RESPECT OF LOAN (NO.100278120) INCLUDING PENAL INTERST AS ON 28.6.06.

R1(G) STATEMENT OF ACCOUNTS IN RESPECT OF LOAN (NO.100278120) EXCLUDING PENAL INTERST AS ON 28.6.06

TRUE COPY

PA TO JUDGE.

S. SIRI JAGAN, J.

W.P.(C)NO.10625 OF 2006

DATED THIS THE 25th DAY OF MAY, 2007

JUDGMENT

The petitioner has filed this writ petition seeking the following reliefs.

> "i. Issue a writ of mandamus or any other appropriate writ, direction or order directing the 1st respondent to extent the benefit of One Time Settlement to the petitioner;
>
> ii. Issue a writ of mandamus or any other appropriate writ direction or order directing the 1st respondent to reduce the interest and penal interest and all other incidental expenses by providing the facility of O.T.S;
>
> iii. Issue such other writ, direction or order as this honourable court may deem fit and proper in the circumstances of the case;
>
> and
>
> iv. Award the cost of the petitioner in these proceedings."

2. However, for the present the petitioner would be satisfied with a direction to the 2nd respondent to consider and pass appropriate orders on Ext.P12 representation as expeditiously as possible.

Having heard both sides, I direct the 2nd respondent to consider and pass appropriate orders on Ext.P12 representation in accordance with law as expeditiously as possible, at any rate, within six weeks from the date of receipt of a copy of this judgment.

The writ petition is disposed of as above.

S. SIRI JAGAN, JUDGE

Acd